JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUN 28 2007

FILED  
CLERK'S OFFICE

DOCKET NO. 10317

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE PET FOOD PRODUCTS LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)**

07W 705 JAH(CAB)

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.2d (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

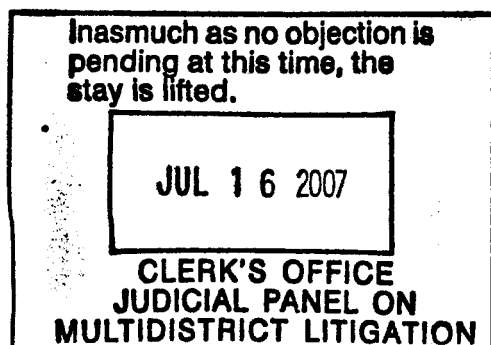
It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffery N. Lüthi  
Clerk of the Panel



**SCHEDULE CTO-1 - TAG-ALONG ACTIONS  
DOCKET NO. 1850  
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

**DIST. DIV. C.A. #****CASE CAPTION****ARKANSAS EASTERN**

ARE 4 07-376

Scott Stacey, et al. v. Nestle SA, et al.

**ARKANSAS WESTERN**

ARW 4 07-4036

ARW 5 07-5065

Kirby Cooper v. Menu Foods Income Fund, et al.

Sandra L. Gray, et al. v. Menu Foods, et al.

**CALIFORNIA CENTRAL**

CAC 2 07-1987

CAC 2 07-2060

CAC 2 07-2253

CAC 2 07-2338

CAC 2 07-2476

CAC 2 07-2779

CAC 2 07-2964

CAC 5 07-398

Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al.

Dawn Howe v. Menu Foods Ltd., et al.

Lois Grady, et al. v. Menu Foods Income Fund, et al.

Kelly Finestone v. Menu Foods, Inc., et al.

Richard Chamberlain v. Nestle SA, et al.

Ken Wahl, et al. v. Menu Foods Income Fund, et al.

Jayne Englander, et al. v. Menu Foods Income Fund, et al.

Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.

**CALIFORNIA EASTERN**

CAE 2 07-654

Cheryl Carver v. Del Monte Foods Co., et al.

**CALIFORNIA NORTHERN**

CAN 3 07-1809

CAN 3 07-2665

Sherry Ingles v. Menu Foods, Inc., et al.

Diane Lowery v. Menu Foods Income Fund, et al.

**CALIFORNIA SOUTHERN**

CAS 3 07-705

CAS 3 07-706

CAS 3 07-734

CAS 3 07-951

Robert Payne, et al. v. Menu Foods, Inc., et al.

Diane Swarberg v. Menu Foods Holding, Inc., et al.

Hayley Ford, et al. v. Menu Foods Income Fund, et al.

John Colliard v. Menu Foods, Inc., et al.

**COLORADO**

CO 1 07-736

Emily Tompkins v. Menu Foods Midwest Corp., et al.

**FLORIDA MIDDLE**

FLM 2 07-235

FLM 6 07-803

Maria Teresa Ferrarese v. Menu Foods, Inc., et al.

George Birney, et al. v. Menu Foods, Inc.

**FLORIDA SOUTHERN**

FLS 1 07-20955

Stephen Donnelly, et al. v. Menu Foods, Inc., et al.

**IDAHO**

ID 1 07-160

Larry Klimes, et al. v. Menu Foods

**ILLINOIS NORTHERN**

ILN 1 07-2162

ILN 1 07-2183

ILN 1 07-2211

ILN 1 07-2237

Heather Amro v. Menu Foods Income Fund, et al.

Gary Bruski v. Menu Foods, Inc., et al.

Raymond Demith, et al. v. Nestle Purina Petcare Co., et al.

Sonja Foxe v. Menu Foods, Inc., et al.

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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DIST. DIV. C.A. #CASE CAPTION

## MASSACHUSETTS

MA 1 07-10745

MA 1 07-10797

Lidia Rodrigues v. Menu Foods, Inc., et al.

Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.

## MAINE

ME 2 07-54

Mara Brazilian v. Menu Foods Income Fund, et al.

## MINNESOTA

MN 0 07-1808

MN 0 07-2108

Stephanie Rozman v. Menu Foods Midwest Corp., et al.

Wendy Krossschell v. Menu Foods Income Fund, et al.

## MISSOURI WESTERN

MOW 3 07-5041

Richard Schwinger v. Menu Foods, et al.

## MISSISSIPPI SOUTHERN

MSS 5 07-105

Sarah Cavin v. Menu Foods, et al.

## NEVADA

~~NV 2 07-686~~

NV 3 07-159

~~Maragaret Picus v. Wal-Mart Stores, Inc., et al.~~

Marion Streczyn v. Menu Foods, Inc., et al.

Opposed 7-16-07

## NEW YORK SOUTHERN

NYS 1 07-3236

Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.

## OHIO NORTHERN

OHN 1 07-1018

Gregory Boehm v. Menu Foods, Inc., et al.

## PENNSYLVANIA MIDDLE

PAM 1 07-929

Dixie Keller v. Menu Foods Ltd., et al.

## RHODE ISLAND

RI 1 07-115

Carol Brown v. Menu Foods, Inc., et al.

## TENNESSEE EASTERN

TNE 3 07-98

Barbara Light v. Menu Foods Income Fund

## WASHINGTON WESTERN

WAW 2 07-575

WAW 2 07-576

WAW 2 07-577

WAW 2 07-634

WAW 2 07-666

WAW 2 07-667

WAW 2 07-668

WAW 2 07-669

WAW 2 07-670

WAW 2 07-684

WAW 2 07-685

Laura Migliore v. Menu Foods

Gail Moran v. Menu Foods

Sheryl Puett v. Menu Foods

Daniel Ray Reeves v. Menu Foods

Sheree A. Robinson v. Menu Foods

Phyllis A. Ullman v. Menu Foods

Elizabeth Palmer v. Menu Foods

Jason Labbate v. Menu Foods

Megan Whitt v. Menu Foods

Linda Weitz v. Menu Foods

Michelle Adams v. Menu Foods

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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**DIST. DIV. C.A. #****CASE CAPTION**

WAW 2 07-686	Lerae Dineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods

**WISCONSIN WESTERN**

WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
WIW 3 07-248	Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

William T. Walsh  
Clerk

**UNITED STATES DISTRICT COURT  
MARTIN LUTHER KING, JR.  
FEDERAL BLD & U.S. COURTHOUSE  
50 WALNUT STREET  
P.O. BOX 419  
NEWARK, N.J. 07101-0419**

**CAMDEN OFFICE  
4<sup>th</sup> & Cooper Streets  
P.O. Box 2797  
Camden, N.J. 08101**

**TRENTON OFFICE  
402 East State Street  
P.O. Box 515  
Trenton, N.J. 08603**

July 20, 2007

REPLY TO: CAMDEN

Sarah Thornton, Clerk  
Clerk's Office-Attn: Sherry Jones  
U.S. District Court  
595 Main Street  
Worcester, MA 01608

Re: MDL1850 In Re: Pet Food Products Liability Litigation

District of New Jersey Civil Action No. 1:07cv2867(NLH)(AMD)

Dear Clerk:

Enclosed is a certified copy of the Order of the Judicial Panel on Multidistrict Litigation, transferring certain action(s) presently pending in your Court to the District of New Jersey and assigning it to the Honorable Noel L. Hillman, USDJ for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407. Please see the attached list for the cases that pertain to your Court.

If your court is currently on CM/ECF Version 3.0 you can transfer the case to us via Case Extraction in Utilities. If you have any questions, please call me at 856-757-5021.

Please return the copy of this letter when transmitting your file(s) and certified copy of the docket sheet(s).

Sincerely,

WILLIAM T. WALSH, Clerk

s/Marcy Barratt  
Deputy Clerk

Enc.

cc: Jeffrey N. Luthi  
Clerk, Judicial Panel on Multidistrict Litigation